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09/522,416	03/09/2000	Amir Herzberg	32130-158916	4069

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EXAMINER

BECKER, SHAWN M

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 10/28/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/522,416

Applicant(s)

HERZBERG ET AL.

Examiner

Shawn M. Becker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,8,11-19,22-27,29 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,8,11-19,22-27,29 and 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This action is responsive to communication filed 7/28/03.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 13-19, 22, 24-27, 29, and 32 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 5,923,845 to Kamiya et al.

Referring to claims 15, 29, and 32, Kamiya teaches a method, system, and program storage device for sharing objects among a community of users, wherein each user is associated with a respective set of attributes such that at least one attribute is common to at least two of the users (i.e. read/write protection attributes; col. 5, lines 1-16). The system includes at least one server (i.e. web server 1320; col. 20, line 23), communicating through a network (Internet) with users, each being associated with a processor and associated memory and display. The processor, associated memory, and display are configured to execute the following method. The method comprises executing the following steps for each user in the community:

(a) Provide a user replica that includes objects that are assigned, each, with at least one attribute. The collectors may receive copies (replicas) of objects through post operations (col. 5, lines 17-28). Also see col. 4, lines 42-44. The collectors can contain links, documents, other collectors, etc. (col. 6, lines 57-61) which have attributes (col. 4, lines 33-37).

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(b) Provide a set of containers (collectors) associated, each with attributes from among the set of attributes (col. 4, lines 30-33). Kamiya teaches that at least one of the containers (collectors) is associated with at least one essential attribute (i.e. topic).

(c) Provide a user interface for generating an update in the replica (see Figs. 14B – 18, which show a browser interface for updating).

(d) Submit the update stipulated in step (c) to the replicas of selected users (see col. 17, lines 36-42, where objects (bookmarks) from one user can be copied and posted to other users).

(e) Receive at least one update from at least one user in the community and update the user replica with the received update (see col. 17, lines 28-30 which describe how incoming documents may be accepted, updating the replica).

(f) Selectively display, through a user interface, at least one container, wherein an object is displayed in the container if a condition applied to at least one of the attributes of the container and at least one of the attributes of the objects is met. Fig. 17 shows a container (collector) of Paul, which displays objects whose read/write attributes match the containers read/write attributes. The condition includes a sub-condition that is met if the attributes of the objects contain the essential attribute. See col. 15, lines 25-33, which describes how Tom can subscribe to a newsgroup for a given topic, which implies that only documents with an attribute related to a topic are placed into a collection with an attribute related to the same topic.

Referring to claim 16, Kamiya teaches that the attributes associated with each user forms part of the user replica. See Fig. 17 and col. 24, lines 13-17.

Referring to claim 17, the update in Kamiya teaches assigning attributes to the objects (i.e. read protection). See col. 11, lines 24-28.

Referring to claim 18, Kamiya teaches the update includes updating an object. See col. 5, lines 5-10, where a user can have write authorization to change the contents of an object (i.e. folder or document).

Referring to claim 19, Kamiya explains that the update can include updating at least one attribute in the set. The folder in which an object is stored is an attribute of the object, and a user can post an object to a new folder (add attribute) and move the object (delete attribute of first folder, and change (edit) the attribute). See the menu bar on Fig. 17, and for further description see col. 21, line 63 – col. 23, line 40. An update could also be changing the access control (attribute), which would change the status from Global to Local or Local to Global. See col. 11, lines 24-28. Also, see col. 25, lines 24-40.

Referring to claim 22, the interface of Kamiya includes a tree of containers (Fig. 17).

Referring to claim 24, Kamiya shows that the tree is displayed in a hierarchical, expandable, and contractible manner, and the containers are folders. See Fig. 17, which shows “hypermedia” as a contracted folder, “workflow” as an expanded folder, and the hierarchy of documents within “workflow” and containers and links within “paul/study/HCI”.

Referring to claim 25, Kamiya teaches that the objects may be each a URL bookmark of a web site (col. 6, line 60 and col. 15, lines 48-54).

Referring to claim 26, Kamiya teaches that each object may be a file. See col. 6, line 58.

Referring to claims 13 and 27, Kamiya teaches that at least one of the objects further contains object-related-data selectively displayed in the user interface. See Fig. 17, which shows icons that represent the type of data are shown along with the objects.

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Referring to claim 1, the method of Kamiya further manages objects for one user. The method:

- (1) Provides a set of attributes (i.e. read/write protection attributes; col. 5, lines 1-16).
- (2) Provides a set of containers, each associated with attributes from among the set of attributes (col. 4, lines 30-33).
- (3) Provides a user interface for dynamically assigning attributes from the set of attributes. See col. 11, lines 24-28 and the user interface in Figs. 14B – 18.
- (4) Selectively display, through a user interface, at least one container, wherein an object is displayed in the container if a condition applied to at least one of the attributes of the container and at least one of the attributes of the objects is met. Fig. 17 shows a container (collector) of Paul, which displays objects whose read/write attributes match the containers read/write attributes.

Referring to claim 2, Kamiya teaches that the assigning in step (3) includes mapping an object from among the objects to at least one container from among the containers and inheriting attributes of the container. See col. 11, lines 24-28, which teaches that changing the access controls of a container (collector) automatically changes the access control of documents within the collector, which means the documents inherit the access control attribute of the collector that they are mapped to.

Referring to claim 14, Kamiya teaches adding, deleting, and updating at least one attribute among the set of attributes. Col. 14, lines 11-24 describes how a professor could add an attribute for a first class and a second class. Also, col. 15, lines 25-33 describes how a user can add attributes based on topics to receive news articles about a certain topic.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya and U.S. Patent No. 6,163,317 to de Judicibus.

Referring to claim 23, Kamiya does not teach that the sub-condition is that an object is displayed in the container only if it is not displayed in a sub-container thereof. Both Kamiya and de Judicibus are directed to methods of grouping and organizing objects into folders or containers based on a set of attributes such that there are not too many objects in a folder or container. In the method of de Judicibus, the object in the container is only displayed if it is not displayed in a sub-container thereof. The purpose of the invention is to reduce the number of objects displayed in a container. See col. 2, lines 23-26. It would have been obvious to one of ordinary skill in the art with the references of Kamiya and de Judicibus before him to modify the collections of Kamiya such that an object is only displayed in a collection if it is not displayed in a sub-collection thereof so that multiple copies of an object do not have to be stored and the collection (container) is not cluttered with too many objects as supported by de Judicibus.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya.

Kamiya teaches that the mapping includes cutting and pasting an object to a container (col. 25, lines 23-40), but does not explicitly mention that the cut and paste may be done through drag-and-dropping. It is well known in the art to use drag-and-drop operations to replace the cut and paste operations, such as in common file managers (i.e. Windows® Explorer). The Examiner takes official notice of this teaching. It would have been obvious to one of ordinary skill in the art to modify the cut and paste operations of Kamiya to include drag-and-dropping in order to provide a simple visual way to move objects with the use of a mouse or pointer object.

6. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamiya and “Grassroots: A System Providing Uniform Framework for Communicating, Structuring, Sharing Information and Organizing People” by Kamiya et al.

Referring to claims 11 and 12, the patent to Kamiya teaches categorizing selected objects as private (col. 25, lines 36-40 describe how the user can change the attributes of selected documents). He also shows that containers (folders) can be read protected (col. 4, lines 30-34). The patent to Kamiya and the article by Kamiya are directed to the same invention. The article better explains the authentication process. The objects are encrypted using a user unique key (authentication, article at page 10). It would have been obvious to one of ordinary skill in the art, with the teachings of the patent and article of Kamiya before him, to categorize objects as private and assign selected containers (folders) with a private attribute, such that any object so assigned to a private (read protected) container is encrypted using a unique key (authentication, article at pages 10-11), because as Kamiya teaches, some users should not have permission to see all of the objects or whole containers that others need to see (i.e. confidential objects).



*Response to Arguments*

7. Applicant's arguments filed 7/28/03 have been fully considered but they are not persuasive.

8. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the collector's contents will only be displayed if a condition applied to at least one of the attributes and at least one of the object is met") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

While the collector's contents are to be selectively displayed if a condition is met, claim 15 does not require this is the only time the collector's contents are displayed.

Notwithstanding, Kamiya teaches this limitation, as is evidenced by the fact that a collector's contents will only be displayed with the proper read/write attributes of the object.

Furthermore, the claims do not distinguish what is meant by a condition. Clearly, if the attributes for the collector and the object of Kamiya are the same (i.e. same read/write attribute or same topic attribute) then a condition of having the same attributes is met.

Applicant argues that the topics of Kamiya are not the attributes of the present invention. However, Applicant never strictly defines what the attributes of the present invention are, therefore an attribute is taken to be its accepted meaning. According to Webster's Ninth New Collegiate Dictionary, an attribute is "an inherent characteristic". Therefore, a topic is clearly an attribute as it is a characteristic.

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Applicant argues that the only moderator for enforcing the topical relationship is a human moderator, that could allow an article to be posted to the newsgroup that did not relate to the topic of the newsgroup and therefore the attribute is not essential. However, the claims do not mention a flawless moderator, even so, the human moderator, John, clearly has the capability of strictly enforcing the topical relationship, making the topic an essential attribute as claimed. As another example, the read/write attribute could be the essential attribute, which is strictly enforced.

### *Conclusion*

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

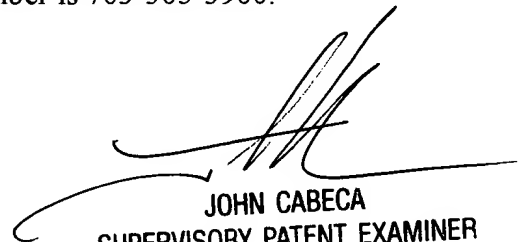
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn M. Becker whose telephone number is 703-305-7756. The examiner can normally be reached on M-Th 8:00 - 5:30 and alternating Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 703-305-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

smb



JOHN CABECA  
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